

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

JARROD HORTON,	)	
Plaintiff	)	
	)	
v.	)	JUDGE DOW
	)	
CITY OF CHICAGO, et. al.	)	Case No. 13 CV 6865
Defendants.	)	

**DEFENDANTS' MOTION FOR LEAVE TO FILE A MEMORANDUM IN SUPPORT  
OF THEIR MOTION FOR SUMMARY JUDGMENT IN EXCESS OF FIFTEEN PAGES  
AND A JOINT STATEMENT OF FACTS WITH OTHER DEFENDANTS**

Defendants City of Chicago ("City") and Kenneth Walker ("Walker"), by their attorneys, Caroline Fronczak and Kelly Bauer, pursuant to Local Rules 7.1 and 56.1 and Rule 6(b)(1)(B) of the Federal Rules of Civil Procedure, respectfully request that this Court permit them to file a brief in excess of 15 pages, and a joint Local Rule 56.1 Statement of Facts with other defendants, in support of their motion for summary judgment. In support of this motion, City and Walker state as follows:

1. Local Rule 7.1 states that no brief filed shall be over 15 pages unless leave is granted by the Court. *See* L.R. 7.1
2. Plaintiffs' Fourth Amended Complaint contains twelve counts, nine of which are directed at the City and/or Walker. (*See* Dkt. No. 128).
3. City and Walker are moving for summary judgment as to the entirety of the case. For many of the counts, particularly those against Walker, there are multiple bases for summary judgment that must be addressed. Therefore Defendants memorandum in support of their motion for summary judgment requires additional pages (no more than 40 pages total) to fully address each claim against Defendants.

4. It is expected that the remaining defendants, Shaquila Moore, Chicago Housing Authority, H.J. Russell & Company, and Maverick Security, Inc., will adopt significant portions of the City and Walker's brief in their memoranda.
5. Without the additional pages for their arguments and supporting authority, the City and Walker will be prejudiced in their efforts to set forth why this Court should grant their motion for summary judgment.
6. In addition, defendants City, Walker, Shaquila Moore, Chicago Housing Authority, H.J. Russell & Company, and Maverick Security, Inc. seek leave to file a joint statement of facts.
7. Local Rule 56.1 (a) (3) permits each movant to file a statement of uncontested facts containing up to 80 numbered paragraphs. If defendants file four separate Rule 56.1 (a) (3) statements, plaintiff could be required to respond up to 320 numbered paragraphs. *See* L.R. 56.1 (a) (3).
8. For the convenience of the court and parties, defendants seek leave to file a joint Rule 56.1 (a) (3) statement, including undisputed facts related to all four motions for summary judgment not to exceed 275 numbered paragraphs.
9. Defendants joint Rule 56.1 (a) (3) statement will include undisputed facts related to underlying claims of excessive force, failure to provide medical care, conspiracy, intentional infliction of emotional distress, battery and wrongful death, as well as issues of indemnification and vicarious liability at issue in the complaint and crossclaims in a single document.
10. This motion for leave to file an oversized memorandum in support of their motion for summary judgment and a joint statement of facts is not intended to overburden the Court, but rather to assist the Court in reaching a decision. No prejudice will be suffered by any party as a result of Defendants' requests.

11. Counsel for Defendants contacted counsel for Plaintiff to obtain their agreement to this motion. Counsel for Plaintiff opposes this motion.

**WHEREFORE**, Defendants hereby request leave to file a brief up to forty pages in length in support of their motion for summary judgment. In addition, on behalf of all defendants, leave is sought to file a joint Rule 56.1 (a) (3) statement not to exceed 275 numbered paragraphs.

Respectfully submitted,

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